product is required to comply with country of origin labeling requirements under a provision of law (or its implementing regulations) described in clause (v), (vi), or (vii) of subparagraph (B).

(ii) DRUGS.—The disclosure requirements under clauses (i) and (ii) of subparagraph (A) shall not apply to a pharmaceutical product subject to the jurisdiction of the Food and Drug Administration.

(2) CERTAIN DRUG PRODUCTS.—It shall be unlawful for a drug that is not subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)) and that is required to be marked under section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) to be offered for sale in commerce to consumers on an internet website unless the internet website description of the drug indicates in a conspicuous place the name and place of business of the manufacturer, packer, or distributor that is required to appear on the label of the drug in accordance with section 502(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(b)).

(3) OBLIGATION TO PROVIDE.—A manufacturer, importer, distributor, seller, supplier, or private labeler seeking to have a product introduced, sold, advertised, or offered for sale in commerce shall provide the information identified clauses (i) and (ii) of paragraph (1)(A) or paragraph (2), as applicable, to the relevant retailer or internet website marketplace.

(4) SAFE HARBOR.—A retailer or internet website marketplace satisfies the disclosure requirements under clauses (i) and (ii) of paragraph (1)(A) or paragraph (2), as applicable, if the disclosure includes the country of origin and seller information provided by a third-party manufacturer, importer, distributor, seller, supplier, or private labeler of the product.

(b) PROHIBITION ON FALSE AND MISLEADING REPRESENTATION OF UNITED STATES ORIGIN ON PRODUCTS.—

(1) UNLAWFUL ACTIVITY.—Notwithstanding any other provision of law, and except as provided for in paragraph (2), it shall be unlawful to make any false or deceptive representation that a product or its parts or processing are of United States origin in any labeling, advertising, or other promotional materials, or any other form of marketing, including marketing through digital or electronic means in the United States.

(2) DECEPTIVE REPRESENTATION.—For purposes of paragraph (1), a representation that a product is in whole, or in part, of United States origin is deceptive if, at the time the representation is made, such claim is not consistent with section 5 of the Federal Trade Commission Act (15 U.S.C. 45(a)) and any regulations promulgated by the Commission pursuant to section 320933 of the Violent Crime Control and Law Enforcement Act of 1994 (15 U.S.C. 45a), provided that no other Federal statute or regulation applies.

(3) LIMITATION OF LIABILITY.—A retailer or internet website marketplace is not in violation of this subsection if a third-party manufacturer, distributor, seller, supplier, or private labeler provided the retailer or internet website marketplace with a false or deceptive representation as to the country of origin of a product or its parts or processing.

(c) ENFORCEMENT BY COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) or (b) shall be treated as a violation of a rule prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF THE COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person that violates subsection (a) or (b) shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.) as though all applicable terms and provisions of that Act were incorporated and made part of this section.

(C) AUTHORITY PRESERVED.—Nothing in this section may be construed to limit the authority of the Commission under any other provision of law.

(3) INTERAGENCY AGREEMENT.—Not later than 6 months after the date of enactment of this division, the Commission, the U.S. Customs and Border Protection, and the Department of Agriculture shall—

(A) enter into a Memorandum of Understanding or other appropriate agreement for the purpose of providing consistent implementation of this section; and

(B) publish such agreement to provide public guidance.

(4) DEFINITION OF COMMISSION.—In this subsection, the term ''Commission'' means the Federal Trade Commission.

(d) EFFECTIVE DATE.—This section shall take effect 12 months after the date of the publication of the Memorandum of Understanding or agreement under subsection (c)(3).

SA 2082. Mr. LUJÁN (for himself, Mrs. CAPITO, and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2116, between subsections (e) and (f), insert the following:

(f) AMOUNTS FOR NEXT GENERATION RADAR AND RADIO ASTRONOMY IMPROVEMENTS AND RELATED ACTIVITIES.—

(1) IN GENERAL.—From the amounts authorized to be appropriated to the Foundation for a fiscal year under this section, $176,000,000 shall be made available for the period of fiscal years 2022 through 2024 for the design, development, prototyping, or mid-scale upgrades of next generation radar and radio astronomy improvements and related activities under section 14 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n-4).

(2) APPROVAL.—Nothing in this subsection shall amend the Director's authority to review and issue awards.

SA 2083. Ms. CORTEZ MASTO (for herself, Mr. DURBIN, Mr. MANCHIN, Ms. HASSAN, Mr. GRASSLEY, Ms. ERNST, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2214 and insert the following:

SEC. 2214. CRITICAL MINERALS MINING AND RECYCLING RESEARCH.

(a) CRITICAL MINERALS MINING AND RECYCLING RESEARCH AND DEVELOPMENT AT THE FOUNDATION.—

(1) IN GENERAL.—In order to support supply chain resiliency, the Secretary of Energy, in coordination with the Director, shall issue awards, on a competitive basis, to institutions of higher education, National Laboratories, or nonprofit organizations (or consortia of such institutions, Laboratories, or organizations, including consortia that collaborate with private industry) to support basic research that will accelerate innovation to advance critical minerals mining, recycling, and reclamation strategies and technologies for the purpose of making better use of domestic resources and eliminating national reliance on minerals and mineral materials that are subject to supply disruptions.

(2) USE OF FUNDS.—Activities funded by an award under this section may include—

(A) advancing mining research and development activities to develop new mapping and mining technologies and techniques, including advanced critical mineral extraction and production, to improve existing or to develop new supply chains of critical minerals, and to yield more efficient, economical, and environmentally benign mining practices;

(B) advancing critical mineral processing research activities to improve separation, alloying, manufacturing, or recycling techniques and technologies that can decrease the energy intensity, waste, potential environmental impact, and costs of those activities;

(C) advancing research and development of critical minerals mining and recycling technologies that take into account the potential end-uses and disposal of critical minerals, in order to improve end-to-end integration of mining and technological applications;

(D) conducting long-term earth observation of reclaimed mine sites, including the study of the evolution of microbial diversity at such sites;

(E) examining the application of artificial intelligence for geological exploration of critical minerals, including what size and diversity of data sets would be required;

(F) examining the application of machine learning for detection and sorting of critical minerals, including what size and diversity of data sets would be required;

(G) conducting detailed isotope studies of critical minerals and the development of more refined geologic models; or

(H) providing training and research opportunities to undergraduate and graduate students to prepare the next generation of mining engineers and researchers.

(b) CRITICAL MINERALS INTERAGENCY SUBCOMMITTEE.—

(1) IN GENERAL.—In order to support supply chain resiliency, the Critical Minerals Subcommittee of the National Science and Technology Council (referred to in this subsection as the ''Subcommittee'') shall coordinate Federal science and technology efforts to ensure secure and reliable supplies of critical minerals to the United States.

(2) PURPOSES.—The purposes of the Subcommittee shall be—

(A) to advise and assist the Committee on Homeland and National Security and the National Science and Technology Council on

United States policies, procedures, and plans as it relates to critical minerals, including—

(i) Federal research, development, and deployment efforts to optimize methods for extractions, concentration, separation, and purification of conventional, secondary, and unconventional sources of critical minerals, including research that prioritizes end-to-end integration of mining and recycling techniques and the end-use target for critical minerals;

(ii) efficient use and reuse of critical minerals, including recycling technologies for critical minerals and the reclamation of critical minerals from components such as spent batteries;

(iii) addressing the technology transitions between research or lab-scale mining and recycling and commercialization of these technologies;

(iv) the critical minerals workforce of the United States; and

(v) United States private industry investments in innovation and technology transfer from federally funded science and technology;

(B) to identify emerging opportunities, stimulate international cooperation, and foster the development of secure and reliable supply chains of critical minerals, including activities related to the reuse of critical minerals via recycling;

(C) to ensure the transparency of information and data related to critical minerals; and

(D) to provide recommendations on coordination and collaboration among the research, development, and deployment programs and activities of Federal agencies to promote a secure and reliable supply of critical minerals necessary to maintain national security, economic well-being, and industrial production.

(3) RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee may, taking into account the findings and recommendations of relevant advisory committees—

(A) provide recommendations on how Federal agencies may improve the topographic, geologic, and geophysical mapping of the United States and improve the discoverability, accessibility, and usability of the resulting and existing data, to the extent permitted by law and subject to appropriate limitation for purposes of privacy and security;

(B) assess the progress toward developing critical minerals recycling and reprocessing technologies;

(C) assess the end-to-end lifecycle of critical minerals, including for mining, usage, recycling, and end-use material and technology requirements;

(D) examine options for accessing and developing critical minerals through investment and trade with allies and partners of the United States and provide recommendations;

(E) evaluate and provide recommendations to incentivize the development and use of advances in science and technology in the private industry;

(F) assess the need for and make recommendations to address the challenges the United States critical minerals supply chain workforce faces, including—

(i) aging and retiring personnel and faculty;

(ii) public perceptions about the nature of mining and mineral processing; and

(iii) foreign competition for United States talent;

(G) develop, and update as necessary, a strategic plan to guide Federal programs and activities to enhance—

(i) scientific and technical capabilities across critical mineral supply chains, including a roadmap that identifies key research and development needs and coordinates ongoing activities for source diversification, more efficient use, recycling, and substitution for critical minerals; and

(ii) cross-cutting mining science, data science techniques, materials science, manufacturing science and engineering, computational modeling, and environmental health and safety research and development; and

(H) report to the appropriate committees of Congress on activities and findings under this subsection.

(4) MANDATORY RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee shall, taking into account the findings and recommendations of the relevant advisory committees, identify and evaluate Federal policies and regulations that restrict the mining of critical minerals.

(c) GRANT PROGRAM FOR PROCESSING OF CRITICAL MINERALS AND DEVELOPMENT OF CRITICAL MINERALS AND METALS.—

(1) ESTABLISHMENT.—The Secretary of Energy, in consultation with the Director, the Secretary of the Interior, and the Secretary of Commerce, shall establish a grant program to finance pilot projects for—

(A) the processing or recycling of critical minerals in the United States; or

(B) the development of critical minerals and metals in the United States

(2) LIMITATION ON GRANT AWARDS.—A grant awarded under paragraph (1) may not exceed $10,000,000.

(3) ECONOMIC VIABILITY.—In awarding grants under paragraph (1), the Secretary of Energy shall give priority to projects that the Secretary of Energy determines are likely to be economically viable over the long term.

(4) SECONDARY RECOVERY.—In awarding grants under paragraph (1), the Secretary of Energy shall seek to award not less than 30 percent of the total amount of grants awarded during the fiscal year for projects relating to secondary recovery of critical minerals and metals.

(5) DOMESTIC PRIORITY.—In awarding grants for the development of critical minerals and metals under paragraph (1)(B), the Secretary of Energy shall prioritize pilot projects that will process the critical minerals and metals domestically.

(6) PROHIBITION ON PROCESSING BY FOREIGN ENTITY OF CONCERN.—In awarding grants under paragraph (1), the Secretary of Energy shall ensure that pilot projects do not export for processing any critical minerals and metals to a foreign entity of concern (as defined in section 2307(a)).

(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Energy $100,000,000 for each of fiscal years 2021 through 2024 to carry out the grant program established under paragraph (1).

(d) DEFINITIONS.—In this section:

(1) CRITICAL MINERAL.—The term ''critical mineral'' has the meaning given the term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

(2) CRITICAL MINERALS AND METALS.—The term ''critical minerals and metals'' includes any host mineral of a critical mineral.

(3) END-TO-END.—The term ''end-to-end'', with respect to the integration of mining or life cycle of minerals, means the integrated approach of, or the lifecycle determined by, examining the research and developmental process from the mining of the raw minerals to its processing into useful materials, its integration into components and devices, the utilization of such devices in the end-use application to satisfy certain performance metrics, and the recycling or disposal of such devices.

(4) RECYCLING.—The term ''recycling'' means the process of collecting and processing spent materials and devices and turning them into raw materials or components that can be reused either partially or completely.

(5) SECONDARY RECOVERY.—The term ''secondary recovery'' means the recovery of critical minerals and metals from discarded end-use products or from waste products produced during the metal refining and manufacturing process, including from mine waste piles, acid mine drainage sludge, or byproducts produced through legacy mining and metallurgy activities.

SA 2084. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1977 submitted by Mr. MERKLEY and intended to be proposed to the amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 3 and all that follows through page 3, line 22, and insert the following:

SEC. 3219L. SENSE OF CONGRESS ON STANDING WITH AUSTRALIA AGAINST ECONOMIC COERCION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the alliance between the United States and Australia provides strategic, economic, and cultural value to both nations;

(2) the security and prosperity of each is vital to the future security and prosperity of both nations;

(3) the close, longstanding cooperation between the United States and Australia in strategic and military affairs is built on strong bonds of trust between the two nations and a shared goal of establishing a free, open, secure, prosperous, and resilient Indo-Pacific;

(4) Australia continues to be the target of a concerted campaign of economic coercion by the People's Republic of China aimed at punishing the government and people of one of the United States' closest allies for the exercise of their sovereign, democratic rights;

(5) the People's Republic of China employs similar forms of economic coercion against other countries, not only within the Indo-Pacific but around the world;

(6) such a campaign is an attempt to undermine the sovereignty of Australia and the ability of the Government of Australia to act in concert with the United States toward the shared goal of a free and open Indo-Pacific; and

(7) the routine use of economic coercion by the People's Republic of China against other countries can undermine those countries' ability to speak or act in defense of their own sovereignty, democratic values, and human rights, and is therefore a threat to a free and open global order.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States—

(1) to stand with Australia, providing relevant support to the Government and people of Australia to mitigate the costs of economic coercion by the People's Republic of China to the greatest extent possible;